

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NORTH AMERICAN CAPACITY
INSURANCE COMPANY,

No. C 03-5521 WDB

Plaintiff,

ORDER GRANTING REQUEST TO
CONTINUE HEARING ON MOTION
FOR SUMMARY JUDGMENT

v.

TURNER CONSTRUCTION
COMPANY, et al.,

Defendants.

The Court has reviewed plaintiff's letter, filed February 16, 2006, requesting that the Court continue the hearing on plaintiff's Motion for Summary Judgment.

The Court GRANTS plaintiff's request.

The hearing scheduled for Wednesday, February 22, 2006, is CONTINUED to **April 5, 2006, at 1:30 p.m.**

Plaintiff must promptly submit settlement and/or dismissal paperwork for defendants other than Turner and Roberts-Obayashi.

Plaintiff must notify the Court immediately if it reaches settlement with Turner or with Roberts-Obayashi.

By Wednesday, March 22, 2006, plaintiff must file with the Court and serve on all opposing parties (1) its Reply, if any, to Turner's Opposition to plaintiff's Motion for Summary Judgment, (2) a statement identifying which issues raised by plaintiff's Motion for

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Summary Judgment remain unresolved and which are moot, and (3) a statement advising the Court about any other matters necessary to update the Court about the status of the case.

IT IS SO ORDERED.

Dated: February 16, 2006

/s/ Wayne D. Brazil
WAYNE D. BRAZIL
United States Magistrate Judge

Copies to: Parties, WDB, stats.